

REMARKS

Claims 1-6 and 10-17 are currently pending in the application. Claim 1 is amended above. As to the amendment at line 17 of Claim 1, see, e.g., Applicants' specification at page 7, lines 23+; Fig. 2A, mag strip reader slot 26.

In paragraph 1 of the office action, an objection has been made to the term "appropriate" in claim 1. To advance prosecution, the objected-to word has been deleted. *See, e.g.*, Applicant's specification at page 3, lines 14-15 ("a blank space").

In paragraph 2 of the office action, a proposal has been made to replace "camera" with "camera assembly" for which there is antecedent basis. Above Claim 1 has been amended as suggested by the Examiner on this point.

It is the understanding of Applicant's representative, based on the Examiner interview by telephone on September 15, 2008, that the objections are overcome by these claim amendments.

A claim amendment also has been made at line 16, to insert "a".

Claims 1-6 and 11-17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz in view of Rafii. The Examiner admits that Swartz fails to disclose a positioning system and an integrated projector and camera assembly. (Final office action, page 3.)

Applicants respectfully traverse the obviousness rejection.

Applicants' Claim 1 recites "an integrated projector and camera assembly responsive to the positioning system and which rotates to a correct position and displays a POS application on the blank surface near the location of the sales associate, the camera assembly detecting entries in the POS application by the sales associate as interactions with the displayed POS application", which is not taught or disclosed by either Swartz or Rafii. Neither Swartz nor Rafii discloses something that "displays a POS application on the blank surface...." (emphasis added).

Moreover, Swartz fails to teach or disclose "a magnetic stripe reader for reading a credit or debit card to complete a transaction in the displayed POS application". In

Swartz, there are disclosures of a magnetic stripe reader but there is no magnetic stripe reader set up “to complete a transaction in the displayed POS application” as recited in Applicants’ Claim 1. Rather, in Swartz the magnetic stripe reader in the first instance cited by the Examiner (col. 2, line 24) only is set-up to give the customer who has swiped a credit card or such into a kiosk dispensing remote devices, a remote device. In the second instance of a magnetic stripe reader cited by the Examiner (col. 10, line 51), the magnetic stripe reader in Swartz is for reading the remote device’s ID. Neither of the magnetic stripe readers cited by the Examiner in Swartz is configured to complete a transaction in a displayed POS application. The references do not teach or suggest the structural relationship between claim elements – between a remote device, a magnetic stripe reader and a surface-displayed POS application – that is recited in Applicants’ Claim 1.

Neither of the magnetic stripe readers cited by the Examiner with reference to Swartz is “disposed in the device” as recited in Applicants’ Claim 1. To the contrary, the teaching in Swartz with regard to where a magnetic stripe reader is disposed is that the magnetic stripe reader is outside the device. Neither Swartz nor Rafii teaches or discloses a remote device which is configured with its own magnetic stripe reader integral within the remote device. Neither Swartz nor Rafii teaches a remote device which can itself complete a purchase transaction by receiving a credit card in its own magnetic stripe reader.

A representative system according to Applicants’ Claim 1 is significantly removed from a system of Swartz, which the Examiner has cited as the closest prior art. In Swartz sales associates must be at the usual fixed check-out place to process customers who are ready to check-out. Quite differently, sales associates using Applicants’ inventive system of Claim 1 are not restricted to being in a usual fixed check-out area to begin to process customers and instead may move about the store and even outside the store (particularly useful in certain businesses, such as nurseries). Therefore as to sales associate mobility for beginning customer check-out, Applicants’ invention of Claim 1

should be appreciated to provide unexpectedly superior results compared to Swartz.

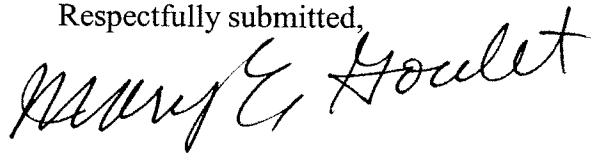
For brevity and simplicity, Applicants do not comment on each dependent claim herein. Referring to Applicants' Claim 3, reciting that "the integrated device further includes a printer for printing a sales receipt", neither Swartz nor Rafii teach or disclose including a printer within a remote device. A representative system according to Applicants' Claim 3 is significantly removed from a system of Swartz, which the Examiner has cited as the closest prior art, because a sales associate can use Applicants' inventive system of Claim 3 to complete a customer purchase by credit card or debit card anywhere within or near the store, while in Swartz a sales associate must be at the usual fixed check-out place to complete a customer purchase by credit card or debit card.

Reconsideration and withdrawal of the obviousness rejection are respectfully sought.

In view of the foregoing, Applicant submits that Claims 1-7 and 10-16 are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed.

Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Applicants' Deposit Account No. 50-0510 (IBM Corporation).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary E. Goulet". The signature is fluid and cursive, with the first name "Mary" and last name "Goulet" clearly distinguishable.

Mary E. Goulet

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